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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/775,321	01/31/2001	Greg Arnold	PALM-3564.US.P	9217

49637 7590 12/04/2006

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EXAMINER

GAUTHIER, GERALD

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 12/04/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/775,321	Applicant(s) ARNOLD ET AL.	
	Examiner Gerald Gauthier	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

2. **Claim(s) 23-30** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 23 recites the limitation "the portable computer" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. **Claim(s) 23-30** are rejected under 35 U.S.C. 103(a) as being unpatentable over Haitani et al. (US 5,900,875) in view of Armstrong et al. (US 6,304,170 B1).

Regarding **claim(s) 23**, Haitani discloses a method of controlling routing of telephone calls and communications (column 1, lines 6-10), comprising the steps of:

providing a date book as part of a personal information manager application operating on the portable computer (column 3, lines 12-18);

receiving, on said portable computer, an acceptance of said date book alarm (column 4, lines 26-30);

outputting, on said portable computer, a plurality of routing profiles when said user accepts said date book alarm, wherein a routing profile defines one or more rules for routing incoming telephone calls to one or more telephone numbers associated with said user (column 3, lines 53-65 and column 4, lines 26-44);

receiving, on said portable computer, a selected routing profile for said particular appointment (column 4, lines 40-42); and

outputting, on said portable computer, said selected routing profile and information relating to said particular appointment (column 4, lines 57-62).

Haitani fails to disclose outputting, on the portable computer, a date book alarm.

However, Armstrong teaches outputting, on the portable computer, a date book alarm with an audible alert from the date book to alert a user of a particular appointment (column 5, lines 19-35).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Haitani using the teaching of audible tone to alert as taught by Armstrong.

This modification of the invention enables the system to output, on the portable computer, a date book alarm so that the user would be reminded of an appointment.

Regarding **claim(s) 24**, Armstrong teaches a method, wherein the audio alert indicates that it is time for said particular appointment (column 5, lines 19-35).

Regarding **claim(s) 25**, Armstrong teaches a method, wherein said date book alarm comprises a visual alert that it is time for said particular appointment (column 5, lines 19-35).

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Regarding **claim(s) 26**, Haitani discloses a method, further comprising: receiving, on a telephone server, said selected routing profile and said information relating to said particular appointment (column 4, lines 26-44);

directing, on said telephone server, a plurality of calls using active profiles at a time of receipt of each call, wherein said active profiles comprises said selected routing profile and said information relating to said particular appointment (column 4, lines 26-44).

Regarding **claim(s) 27**, Armstrong teaches a method, further comprising: receiving, on said portable computer, a new appointment (column 5, lines 19-35);

outputting, on said palmtop computer, a data entry form to permit said user to establish a routing profile for said new appointment (column 5, lines 19-35);

outputting, on said portable computer, said established routing profile and information relating to said new appointment to a telephone server, and wherein active profiles on said telephone server further comprises said established routing profile and said information relating to said new appointment (column 5, lines 19-35).

Regarding **claim(s) 28**, Haitani discloses a method, wherein each of said plurality of routing profiles comprises a destination phone number (column 4, lines 26-44).

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Regarding **claim(s) 29**, Haitani discloses a method, wherein said destination phone number is selected from a group of phone numbers associated with said user (column 4, lines 26-44).

Regarding **claim(s) 30**, Haitani discloses a method, wherein one or more of said plurality of routing profiles further comprises a source phone number (column 4, lines 26-44).

6. **Claim(s) 31-35** are rejected under 35 U.S.C. 103(a) as being unpatentable over Haitani in view of Schellinger et al. (US 6,052,592).

Regarding **claim(s) 31**, Haitani discloses a method of controlling communication routing (column 1, lines 6-10), comprising:

receiving, on a portable computer, a new appointment (column 4, lines 26-30);

outputting, on said portable computer, a data entry form to permit said user to establish a routing profile for said new appointment, wherein said routing profile defines one or more rules for routing incoming telephone calls to one or more telephone numbers associated with a user of said portable computer between a starting time and an ending time (column 3, lines 53-65 and column 4, lines 26-44).

Haitani fails to disclose outputting, on said portable computer, said established routing profile and information to a telephone server.

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However, Schellinger teaches outputting, on said portable computer, said established routing profile and information relating to said new appointment to a telephone server for activation by said telephone server during a time indicated by said information relating to said new appointment (column 2, lines 58-66).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Haitani using the teaching of routing to the TELCO as taught by Schellinger.

This modification of the invention enables the system to output, on said portable computer, said established routing profile and information to a telephone server so that the user would be connected to the incoming calls.

Regarding **claim(s) 32**, Schellinger teaches a method, wherein said established routing profile comprises a destination phone number (column 2, lines 58-66).

Regarding **claim(s) 33**, Schellinger teaches a method, wherein said destination phone number is selected from a group of phone numbers associated with said user (column 2, lines 58-66).

Regarding **claim(s) 34**, Schellinger teaches a method, wherein said established routing profile further comprises a source phone number (column 2, lines 58-66).

Regarding **claim(s) 35**, Haitani discloses a method, wherein said established information related to said new appointment includes a start time and an end time (column 4, lines 26-44).

7. **Claim(s) 36** is rejected under 35 U.S.C. 103(a) as being unpatentable over Haitani in view of Armstrong and further in view of Schellinger.

Regarding **claim(s) 36**, Haitani discloses a method of controlling communication routing (column 1, lines 6-10), comprising:

receiving, on said portable alarm (column 4, lines 26-30);
computer, an acceptance of said date book outputting, on said portable computer, a user interface that enables said user to select from a plurality of routing profiles, each of said plurality of routing profiles defining one or more rules for routing incoming telephone calls to one or more telephone numbers associated with said user (column 3, lines 53-65 and column 4, lines 26-44).

Haitani fails to disclose outputting, on the portable computer, a date book alarm.

However, Armstrong teaches outputting, on a portable computer, a date book alarm to audibly alert a user of a particular appointment (column 5, lines 19-35).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Haitani using the teaching of audible tone to alert as taught by Armstrong.

This modification of the invention enables the system to output, on the portable computer, a date book alarm so that the user would be reminded of an appointment.

Haitani fails to disclose outputting, on said portable computer, said established routing profile and information to a telephone server.

However, Schellinger teaches outputting, on said palmtop computer, an indication of a user selection of a routing profile and information relating to said particular appointment to a telephone server for control of incoming calls to said user during said particular appointment (column 2, lines 58-66).

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the invention of Haitani using the teaching of routing to the TELCO as taught by Schellinger.

This modification of the invention enables the system to output, on said portable computer, said established routing profile and information to a telephone server so that the user would be connected to the incoming calls.

Response to Arguments

8. Applicant's arguments with respect to **claim(s) 23-36** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Gauthier whose telephone number is (571) 272-7539. The examiner can normally be reached on 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Gerald Gauthier
Primary Examiner
Art Unit 2614

GG
November 28, 2006